## **REMARKS**

## Notice of Non-Compliant Amendment

A Notice of Non-Compliant Amendment was mailed to the Applicant on February 20, 2009 indicating that the previously filed Response to the non-final Office Action was non-responsive in that "[e]ach claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified". The Notice more specifically indicates that "claims 63-68 should be properly identified with one of the above (part C) accepted status identifiers". (See Continuation Sheet of the Notice).

The Applicant has canceled claims 63-68 without prejudice for possible submission in a continuing application. Accordingly, the Applicant submits the above-listed pending claims, with claims 63-68 properly identified as "(Canceled)".

RECEIVED CENTRAL FAX CENTER FEB 2 7 2009

## **CONCLUSION**

In view of the foregoing amendments and remarks, the Applicant respectfully requests entry of the Response filed on October 10, 2008 and further consideration and allowance of pending claims 44-46, 48-52, 55, 58, 70-72 and 74-77.

Reconsideration of the subject application is respectfully requested. Timely action towards a Notice of Allowability is hereby solicited. The Examiner is encouraged to contact the undersigned by telephone to resolve any outstanding matters concerning the subject application.

Respectfully submitted,

Brad A. Schepers Reg. No. 45,431

Krieg DeVault LLP

One Indiana Square, Suite 2800 Indianapolis, Indiana 46204-2079

(317) 238-6334 (voice)